

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 12-cv-00891-MSK-BNB

JECKONIAS N. MURAGARA,

Plaintiff,

v.

MACKENZIE PLACE UNION, LLC, d/b/a The Mackenzie Place - Colorado Springs,

Defendant.

ORDER

The parties appeared today for a supplemental scheduling conference. The proposed supplemental Scheduling Order is REFUSED. A second supplemental scheduling conference is set for **August 9, 2012, at 9:00 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

At the first scheduling conference, the plaintiff had failed to participate in the preparation of the proposed scheduling order, and the proposed scheduling order submitted by the defendant did not contain the information required from the plaintiff. Consequently, I ordered the parties to cooperate in the preparation of a proposed supplemental scheduling order in the form of Appendix F.1 to the local rules of practice, D.C.COLO.LCivR., and to submit the proposed supplemental scheduling order on or before June 29, 2012. I set a supplemental scheduling conference for this morning.

The parties appeared as ordered, but there was confusion concerning the proposed supplemental scheduling order. One copy, conventionally filed and scanned into the court's

CM/ECF system, contained the plaintiff's handwritten signature. A second copy, filed by the defendant electronically, appeared to be substantively identical to the conventionally filed version but contained different formatting. The parties could not agree about the events leading up to the filing of the two versions of the scheduling order, and the plaintiff challenged the accuracy of the version filed electronically.

It is apparent to me that the plaintiff and defense counsel refuse to work together cooperatively to achieve even the most basic tasks necessary for the case to proceed--preparation of a scheduling order. This is unacceptable and cannot continue.

IT IS ORDERED:

(1) The proposed scheduling orders submitted in anticipation of today's supplemental scheduling conference are **REFUSED**.

(2) On or before **August 2, 2012**, the parties shall file conventionally a proposed Second Supplemental Scheduling Order, bearing the handwritten signatures of the plaintiff and defense counsel, and with every page of the proposed Second Supplemental Scheduling Order initialed in handwriting by the plaintiff and defense counsel. Under no circumstances should any form of competing or conflicting scheduling order be submitted by either party nor any challenge be made to the authenticity of the signed and initialed proposed Second Supplemental Scheduling Order.

(3) A second supplemental scheduling conference is set for **August 9, 2012, at 9:00 a.m.**, in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

Dated July 9, 2012.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge